

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

CHUTE et al.

Serial No. NOT YET ASSIGNED

Filed: July 29, 2003

For: HUMAN BRAIN ENDOTHELIAL CELLS AND GROWTH MEDIUM AND METHOD
FOR EXPANSION OF PRIMITIVE CD34+CD38-BONE MARROW CELLS

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Before calculating the filing fee for the above identified application, please enter the amendments to the specification and claims in Attachment A and B, respectively.

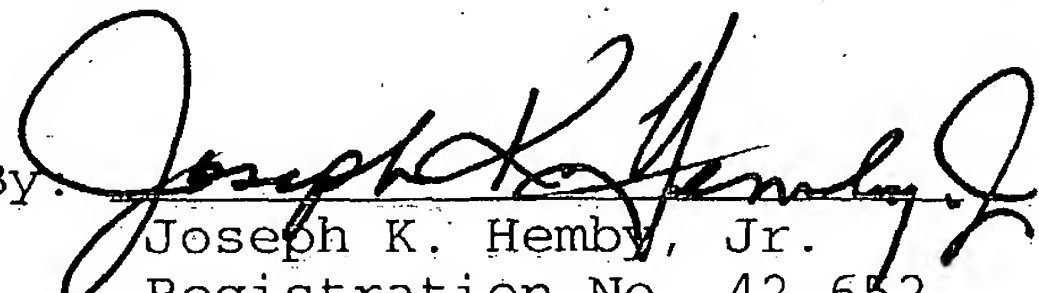
REMARKS

Applicants are filing a Divisional Application of U.S. Application No. 09/452,855 filed December 3, 1999 (now allowed) under 37 CFR 1.53(b). The claim amendments in Attachment B are being made to elect previously non-elected subjected matter of Group II, Claims 9-13. A Telephonic Restriction Requirement was previously made on July 24, 2000, and later provided in writing in the Office Action dated April 24, 2001. No new matter has been added.

Please charge the \$750.00 filing fee and any other fee due or credit overpayment to deposit account 140595.

Respectfully submitted,

By:


Joseph K. Hemby, Jr.
Registration No. 42,652
Customer No. 22245

Date: July 29, 2003